GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PREVENTIVE DETENTION - Detention order passed against Sri Kolagani Pavan Raj Kumar @ Pavan, S/o Satyanarayana, age 25 yrs., R/o RH Colony, PM Palem, Visakhapatnam, Andhra Pradesh State, by the Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam and approved by the Government, under the A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No: 1 of 1986) – Confirmed - Orders – Issued..

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GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.RT.No. 470 Dated: 06-03-2025

Read the following:-

1. Proceedings No.C.No.8177/MC-III/PD Act/2024 (M.O.No.06/2025), Dated: 22-01-2025, of the Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam.
2. Radio Message Lr.No.CP/VSP/CRC/587/2025, Dated: 23-01-2025, from Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam, along with Acknowledgement received from Superintendent of Jails, Central Prison, Visakhapatnam.
3. G.O.RT.NO.234, G.A. (SC-I) Dept., Dt:02-02-2025.
4. W.M.No:2702680/SC-I/A3/2025-1, Dated: 02-02-2025
5. Letter No.2702680/SC-I/A3/2025-2, G.A. (SC-I) Dept., Dated: 05-02-2025
6. Memo No:2702680/SC.I/A3/2024-3, G.A. (SC-I) Dept., Dated: 17-02-2025.
7. From the Chairman, Advisory Board Report on Preventive detentions Opinion & Minutes of the meeting Dt: 19-02-2024.

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ORDER:

WHEREAS, the Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam, has made an order of detention, vide reference 1st read above under Section-3(1) & (2) r/w Section 2(f) & 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against Sri Kolagani Pavan Raj Kumar @ Pavan, S/o Satyanarayana, age 25 yrs., R/o RH Colony, PM Palem, Visakhapatnam, Andhra Pradesh State, who is not having a license or holder of any permit to deal in any kind of Ganja or any other prohibited Narcotic drugs and Psychotropic substances under the provisions of Narcotic Drugs and Psychotropic Substances Act, 1985. There is a prohibition on cultivation, transportation, sale, purchase, possession storage of Ganja in any form. As such sale of Ganja is an offence and causing great loss to the national wealth and making huge damage to the public health. His activities come under the category of “Drug Offender” under section 2(f) of the AP PD Act-1986. The above individual is habituated to commit offences punishable under the chapters XVI, XVII of Indian Penal code and chapter VI of BNS and acting in a manner prejudicial to the maintenance of public order, thereby disturbing the peace, tranquillity, social harmony/ order in the society. He is involved in total 02 criminal cases in last two years registered at PM Palem Police Station, Visakhapatnam City. The individual has no respect towards law and he didn't change his behavior but turned adamant and is continuing illegal activities. The above individual is found to be promoting gang culture and thereby tarnishing the reputation of Visakhapatnam City which has been regarded as a peaceful city. These activities comes under the category of 2(f) and 2(g) of Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 and he is acting in prejudicial manner to the maintenance of public order as defined under section 2(a) read with an explanation given under the said section of the said act. Thus, he is acting prejudicial to the maintenance of the public order.

2. AND WHEREAS, the Government have accorded approval of the said detention order under sub-section (3) Section 3 of the Act, vide Government Orders 3rd read above;

3. AND WHEREAS, under Section 10 of the Act, Government within three weeks from the date of detention of a person under the order shall place the case before the Advisory Board on Preventive

(P.T.O.)

Detentions, constituted under Section 9 of the said Act, and the Advisory Board shall submit its report to Govt., within seven weeks from the date of detention under Section 11(1) of the said Act. Accordingly, the above said case was placed before the Advisory Board comprising of Justice Sri Neelam Sanjiva Reddy (Retired), Chairman and two Members for its consideration and to submit its report to Government, under Section 11 (1) of the said Act, vide reference 5th read above. The case was reviewed by the Advisory Board on 19-02-2025 through video conference. After having heard the detenue and the Investigating Officer, who have attended the Video Conference and also upon perusing the grounds of detention and the connected records, the Advisory board has unanimously reported and opined there is sufficient cause for the detention of the detenue.

4. AND WHEREAS, the Government after careful examination of the entire record, it is observed that Sri Kolagani Pavan Raj Kumar @ Pavan, S/o Satyanarayana, age 25 yrs., R/o RH Colony, PM Palem, Visakhapatnam, Andhra Pradesh State, is found to be involved in as many as in Seven (07) cases mentioned in the grounds of detention. All the instances mentioned above clearly establish that he indulged in this illegal activity in a clandestine manner repeatedly, violating the provisions of NDPS Act, 1985 with a view to gain monetary benefit at the cost of health of poor people, as it is evident from number of such cases booked against him which are registered under various provisions U/s 354-A & D 506(2) IPC and Sec. 12 of POCSO Act, U/s 307, 323, 342, 354, 452, 364-A, 384,392, 120-b, 212 r/w 34 IPC, U/s 20 (b) (ii) of NDPS Act-1985. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such, the activities of the individual falls under and within the meaning of “Drug Offender” & “Goonda” as defined under section 2(f) & 2(g) of Act 1 of 1986. The detaining authority having taken into account and consideration of indulgence of the detenue in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb him illegal activities, has passed the detention order against the detenue by invoking the provisions under the Act 1 of 1986, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of public order. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the detenue. As such, the detenue deserves the maximum period of detention, as provided under Section 13 of the Act.

5. Now, therefore, after due consideration of the report of the Advisory Board and the material available on record, and in exercise of the powers conferred under sub-section (1) of Section 12 read with Section 13 of the said Act, the Order of Detention made by the Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam, in the reference 1st read above, as approved in the G.O.3rd read above are hereby confirmed by the Government. The detention of Sri Kolagani Pavan Raj Kumar @ Pavan, S/o Satyanarayana, age 25 yrs., R/o RH Colony, PM Palem, Visakhapatnam, Andhra Pradesh State, shall be for a period of 12 (Twelve) months from the date of his detention, i.e., 23-01-2025 under Section 13 r/w Section 12(1) of the said Act 1/1986.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. VIJAYANAND
CHIEF SECRETARY TO GOVERNMENT

To
Sri Kolagani Pavan Raj Kumar @ Pavan, S/o Satyanarayana, age 25 yrs., R/o RH Colony, PM Palem, Visakhapatnam, Andhra Pradesh State through the Superintendent of Jails, Central Prison, Visakhapatnam.
The Superintendent of Jails, Central Prison, Visakhapatnam (He should serve the Order on the detenue immediately under proper dated acknowledgment and arrange to read over and explain the contents of the same in the language known to the detenue and report compliance to the Government forthwith)
The Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam.
The Station House Officer, P.M. Palem Police Station, North Sub-Division Visakhapatnam.
Copy to:
The Director General of Police, A.P., Mangalagiri, Guntur District.
The Director General of Prisons and Correctional Services, A.P., Vijayawada.
The Additional Director General of Police (Intelligence), A.P., Vijayawada.
The Spl. G.P., Attached to Learned Advocate General, High Court of A.P., High Court Buildings, Amaravati.
SF/SC (2702680).

//FORWARDED:BY ORDER//

SECTION OFFICER (SC)